

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEATHERBACK LIMITED,

Plaintiff(s),

v.

LOLU ADUBIFA,

Defendant(s).

23-CV-9295 (DEH)

ORDER

DALE E. HO, United States District Judge:

The operative Complaint, filed October 24, 2023, states that “the event that is the essence of this action occurred in this District.” Dkt. No. 9, at ¶ 4. The Complaint alleges that Defendant published a defamatory statement to the Community Federal Savings Bank. *Id.* at ¶¶ 9, 11. It further alleges that the Community Federal Savings Bank is located in Woodhaven, New York. *Id.* at ¶ 6. The Complaint alleges no other connection between the parties’ dispute and New York. 28 U.S.C. § 1406(a) states that, “[t]he district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.”

It is hereby **ORDERED** that by **November 3, 2023**, Plaintiff shall file a letter on ECF, not to exceed three pages, explaining why this case should not be transferred to the Eastern District of New York, for lack of proper venue in the Southern District of New York.

SO ORDERED.

Dated: October 25, 2023
New York, New York



DALE E. HO
United States District Judge